

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 2, 4 and 5, the FIGS., and the specification have been amended, claim 3 has been canceled, and claim 27 has been added. No new matter is being presented. Therefore, claims 1-27 are pending and reconsideration is respectfully requested.

OBJECTIONS TO THE DRAWINGS

In the Office Action, in numbered paragraphs 2-3, the drawings were objected to. However, appropriate corrections to FIG. 6 have been made and a replacement FIG. 6 is being submitted concurrently herewith. Further, paragraph [0044] of the specification is being amended as suggested. Therefore, it is respectfully requested that the objections be withdrawn.

SPECIFICATION CHANGES

As noted above, the specification has been amended in paragraph [0044].

CLAIM OBJECTIONS

In the Office Action, in numbered paragraph 4, the claims were objected to. However, appropriate corrections to claims 1, and 5 have been made. Therefore, it is respectfully requested that the objections be withdrawn.

ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation that claims 3, 4 and 7-26 have been found to contain allowable subject matter. Applicants further note that claim 3 has been canceled and the subject matter of former claim 3 has been incorporated into claim 1. Thus, claim 1 and claim 2, which depends from claim 1, are believed to be allowable. Regarding claim 4, applicants note that claim 4 has been rewritten in independent form including features of former claim 1 and what is understood to be the allowable subject matter of former claim 4. Thus, claim 4 is believed to be allowable

IN THE DRAWINGS

The attached drawing(s) include a replacement sheet for FIG. 6. The replacement sheet for FIG. 6 contains changes to FIG. 6 that include adding a bracket to signify that reference numerals 456, 457, and 458 are themselves references by reference numeral 455 and removing the "F" and its associated arrow. These drawing changes along with the specification changes discussed hereinbelow should satisfy the objections to the drawings.

REJECTION UNDER 35 U.S.C. §102

In the Office Action, at page 5, numbered paragraph 6, claims 1-2 and 5-6 were rejected under 35 U.S.C. §102(e) as being anticipated by Tanno (U.S. 6,634,745 B2). This rejection is traversed and reconsideration is requested.

Regarding the rejections of claims 1 and 2, applicants note that the rejections of these claims are overcome as discussed above.

Regarding the rejections of claims 5 and 6, applicants note that claim 5 recites “a paper discharge unit used with an inkjet printer which ejects a sheet on which image printing is completed by an ink cartridge having a nozzle part out of a printer main body.” According to claim 5, the paper discharge unit comprises a paper discharge roller rotatably mounted in the printer main body, to feed the sheet out of the printer main body, a paper discharge guide **pivotably** mounted downstream of the paper discharge roller in a direction the sheet is fed, to guide the bottom face of the sheet ejected from the paper discharge roller, and a driving unit **to pivot** the paper discharge guide in order for an upper end portion of the paper discharge guide to be disposed higher than a contact surface between the paper discharge roller and the sheet as the sheet is discharged from the paper discharge roller.

On the other hand, Tanno is directed to an image forming apparatus and discloses a platen 34 having “a plurality of ribs 34a which project therefrom and which extend in the direction of movement of the sheet P.” Applicants note, that Tanno is completely silent as to a disclosure that the paper discharge guide is **pivotable**, as claimed, or that a driving unit **pivots** the paper discharge guide, as additionally claimed.

Of course, applicants acknowledge that Tanno elevates the sheet supporting member 102. However, applicants respectfully assert that the elevation in Tanno is patentably distinct from the pivot of the paper discharge guide in the present invention and does not provide support of the sheet described in the specification at paragraph [0050].

Therefore, applicants respectfully assert that claims 5 and 6, which depend from claim 5, are patentably distinguished from the applied reference. Thus, the rejections of these claims are believed to be overcome.

NEWLY ADDED CLAIM 27

Applicants note that claim 27 has been added. Further, it is believed that claim 27 is

allowable for substantially the same reasons as noted above with respect to claims 1 and 5.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

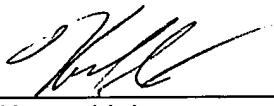
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 12, 2004

By: 
Howard I. Levy
Registration No. 55,378

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501